

Status Hearing RE: Termination of Conservatorship

			<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><b><u>OFF CALENDAR</u></b></p> <p>Petition To Transfer Conservatorship to the State of Hawaii filed 1/29/16 is set for hearing on 3/10/16.</p>
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<p>Reviewed by: skc</p> <p>Reviewed on: 2/1/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1-Prendergast</p>



**Status Hearing Re: Filing of the Second Account**

		<b>PUBLIC GUARDIAN</b> is Trustee.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Trustee's First Account was settled on 9/9/13. On that date, the Court set this status hearing for the filing of the Second Account.	<b>1. Need Second Account.</b>
<b>Cont. from 110915</b>			
<b>Aff.Sub.Wit.</b>		<b>Status Report filed 10/28/15 states</b> the Public Guardian is currently short-staffed because one of the support staff suddenly retired for medical reasons. A 90-day continuance is respectfully requested.	
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>		<b>Status Report filed 1/22/16 states</b> the person who prepares the necessary documents for the accounts is currently covering both her duties and the duties of the staff member who retired. Therefore, she is unable to get all the accounts done that need to be done before the scheduled status hearings. There have been a large number of accounts set for status hearings, which makes it harder for her to get to all of them. The Public Guardian requests at least 90 days.	
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>		<b>Reviewed by:</b> skc	
<b>Status Rpt</b>		<b>Reviewed on:</b> 2/1/16	
<b>UCCJEA</b>		<b>Updates:</b>	
<b>Citation</b>		<b>Recommendation:</b>	
<b>FTB Notice</b>		<b>File 3 – McCrain</b>	

Guardian Carlton, Jennifer (pro per – paternal aunt)

Father McClellan, Lance D. (pro per – Petitioner)

## Petition for Termination of Guardianship

		<p><b>LANCE D. MCCLELLAN</b>, father, is Petitioner.</p> <p><b>JENNIFER CARLTON</b>, paternal aunt, was appointed guardian of the minors on 01/25/11. – <i>Consents and waives notice</i></p> <p>Mother: <b>NATOSHA LOGAN</b> – personally served on 12/10/15</p> <p>Paternal grandfather: TULLY MCCLELLAN – personally served on 01/05/16</p> <p>Paternal grandmother: RHONDA MCCLELLAN – personally served on 12/10/15</p> <p>Maternal grandfather: DECEASED</p> <p>Maternal grandmother: SHELLY CLOWERS – personally served on 12/10/15</p> <p><b>Petitioner states</b> [see file].</p> <p><b>Court Investigator Dina Calvillo</b> filed a report on 12/21/15.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>	
<b>Cont. from 010416</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
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<input type="checkbox"/>	<b>Aff.Mail</b>			n/a
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<input type="checkbox"/>	<b>Conf. Screen</b>			
<input type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input checked="" type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 02/02/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 4 - McClellan</b></p>		

Attorney

Horton, Lisa (for Marleen Coronel Maffeo – Guardian – Petitioner)

**Second Account Current and Report of Guardian and Petition for Its Settlement; for Allowance of Attorney Fees and Reimbursement of Costs Advanced; for Reimbursement of Attorney Fees and Cost Paid; and Petition to Decrease in Bond**

		<p><b>MARLEEN CORONEL MAFFEO</b>, Mother and Guardian of the Estate with bond of \$450,000.00, is Petitioner.</p> <p><b>Account period: 7/18/13 – 8/31/15</b>          Accounting: \$491,025.16          Beginning POH: \$397,769.70          Ending POH: \$472,025.88          (\$11,405.27 cash plus an interest in a business and various securities) (see #1)</p> <p>Guardian waives compensation, but requests reimbursement totaling \$444.24 from the guardianship estate as follows:          \$315.00 (partial payment of filing fee)          \$129.24 (Probate Referee). See Exhibit A.</p> <p><b>Former Attorney (Sanoian): \$1,153.13.</b> Petitioner states she previously paid Attorney Sanoian for services rendered from 10/7/13 to 4/25/14 with Petitioner's own funds a total of \$2,306.25 for both guardianships. Petitioner requests reimbursement of \$1,153.13 from each guardianship estate. See Exhibit A.</p> <p><b>Current attorney (Walters &amp; Moshrefi): \$4,200.00.</b> Declaration of Lisa Horton reflects charges of \$5,096.25 from 6/17/14 through 12/14/15; however, the attorney will accept the reduced sum of \$4,200.00, <b>plus costs of \$435.00</b> for filing this account. See Exhibit B.</p> <p><b>Current Bond: \$450,000.00.</b> Petitioner states the bond should be recalculated to exclude the minor's business interest (1/2 of a 3.3373580% general partnership interest in Maffeo Bros., a California general partnership). The business holds several real properties and receives rental income, and under CRC 7.205, it should not be part of the bond calculation because real property is not included unless the guardian has independent authority. Petitioner states she does not have independent authority to authorize or sell any investment properties without Court approval. The current bond costs the guardianship estate \$4,800 every three years. Without the general partnership, Petitioner calculates that bond should be \$310,000.00. See petition re calculation.</p> <p align="center"><b><u>SEE ADDITIONAL PAGES</u></b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Need amended account.</p> <p align="center"><b><u>SEE ADDITIONAL PAGES</u></b></p>
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	W	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
✓	<b>2620(c)</b>	X	
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 2/2/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 5-Maffeo</b></p>

**Page 2 – Petitioner prays for an order as follows:**

1. Approving, allowing and settling this account and report of the guardian as filed;
2. Authorizing Petitioner to pay herself from the guardianship estate the sum of \$1,597.37 for reimbursement of legal services rendered to the guardianship and costs paid during the accounting period;
3. Authorizing payment of \$4,200.00 to Walters & Moshrefi, Attorneys at Law for services rendered from 6/17/14 through 12/4/15;
4. Authorizing payment of \$435.00 to Walters & Moshrefi for costs advanced;
5. That the current bond of \$450,000.00 be decreased to \$310,000.00; and
6. For such other orders as the Court deems proper.

**NEEDS/PROBLEMS/COMMENTS:**

1. Need amended account. This accounting (and possibly the last one as well) used market values rather than carry values for the securities. Pursuant to Probate Code §1061(a)(10), property on hand must be stated at carry value, with market values provided on a separate schedule pursuant to §1063. See also Summary Form GC-400 at line 13b, where it specifies “carry value.” When market values are being used as POH figures, the account is not in the format required by Probate Code §1061 and actual gains and losses are unclear.
2. Conversely, Petitioner provides only the carry value re the business interest, but does not provide a separate schedule re market value. Is the business successful? Is it failing? Does this asset remain an appropriate investment for the minor’s estate? This is necessary and relevant information pursuant to Probate Code §1063. Need amended account.
3. Ending cash on hand at the close of the last account period 7/17/13 was \$36,669.43; however, Petitioner states cash on hand at the beginning of this account period 7/18/13 was \$36,479.47, a difference of \$189.96. Need amended account.
4. Petitioner states she pays for the majority of the minor’s expenses from her own funds, but needed funds for the minor’s extracurricular activities/filed trips, school clothes, etc. Petitioner withdrew a total of \$6,500 from this minor’s account on various occasions (\$3,000 on 3/19/14, \$2,500 on 4/29/14, and \$1,000 on 7/7/14), and states funds not used were deposited back into the account. Deposit on 10/10/14 reflects \$3,500 deposited back into the account. However, no itemization for the \$3,000 that was used is provided. Need itemization for the \$3,000.00. Further, the Court may require blocked account and authorization for future withdrawals pursuant to Local Rule 7.8.1.i.
5. The Court may require clarification regarding the attorney fees requested by Walters & Moshrefi, including how time is charged between this minor’s estate and the related minor’s estate. Specifically, many of the line items reflect the same amount of time spent on the same tasks for each minor, such as communication re bonding, appearance at hearings, drafting pleadings, etc.

SEE ADDITIONAL PAGES

## Page 3 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

6. Petitioner alleges the business interests held by each minor are equivalent to real property that the guardian does not have authority to sell and therefore the value should not be included when calculating bond with reference to Cal. Rule of Court 7.205 (independent power to sell real property). However, it does not appear that CRC 7.205 is applicable. Business interests are personal property and are therefore subject to bond pursuant to Probate Code §2320(c)(1). Therefore, need authority re this request.
7. Examiner calculates bond should remain at least \$450,000.00, and should actually be increased slightly, calculated as follows:  
Cash: \$11,405.27  
Business interest (Carry value): \$203,935.06  
Securities (Carry value): \$180,766.87  
= Total Principal: \$396,107.20  
+ estimated annual income of \$13,404.54  
+ 10% cost of recovery \$40,951.17  
= Total bond: \$450,462.91
8. Probate Code §2620(c)(2) requires account statements showing the balance as of the closing date of the account period. The Bank of America statement shows a balance of \$5,335.24 as of 8/10/15; however, the account period ends 8/31/15 and Petitioner reports that this account had a balance of \$4,796.82 at that time. Need statement reflecting the appropriate time period.
9. Account statement for Wells Fargo Account xx4948 reflects a cash balance of \$6,616.08 on 8/31/15; however, Petitioner indicates \$6,608.45. Need clarification.

Attorney Horton, Lisa (for Marleen Coronel Maffeo – Guardian – Petitioner)

**Second Account Current and Report of Guardian and Petition for Its Settlement; for Allowance of Attorney Fees and Reimbursement of Costs Advanced; for Reimbursement of Attorney Fees and Cost Paid; and Petition to Decrease in Bond**

	<b>MARLEEN CORONEL MAFFEO</b> , Mother and Guardian of the Estate with bond of \$450,000.00, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Upon cursory review, it appears similar issues exist in this guardianship estate as are noted in the related matter at Page 5. Therefore, as it appears amended account is necessary, Examiner has not completed an extensive review of this minor's estate.
	<b>Account period: 7/18/13 – 8/31/15</b> Accounting: \$491,621.82 Beginning POH: \$397,959.66 Ending POH: \$472,571.93 (\$11,951.32 cash plus an interest in a business and various securities)	
<b>Aff.Sub.Wit.</b>		<b>Guardian waives compensation, but requests reimbursement totaling \$129.24 from the guardianship estate as follows:</b> \$129.24 (Probate Referee). See Exhibit A.  <b>Former Attorney (Sanoian): \$1,153.13.</b> Petitioner states she previously paid Attorney Sanoian for services rendered from 10/7/13 to 4/25/14 with Petitioner's own funds a total of \$2,306.25 for both guardianships. Petitioner requests reimbursement of \$1,153.13 from each guardianship estate. See Exhibit A.  <b>Current attorney (Walters &amp; Moshrefi): \$4,200.00.</b> Declaration of Lisa Horton reflects charges of \$4,961.25 from 6/17/14 through 12/14/15; however, the attorney will accept the reduced sum of \$4,200.00, <b>plus costs of \$435.00</b> for filing this account. See Exhibit B.  <b>Current Bond: \$450,000.00.</b> Petitioner states the bond should be recalculated to exclude the minor's business interest (1/2 of a 3.3373580% general partnership interest in Maffeo Bros., a California general partnership). The business holds several real properties and receives rental income, and under CRC 7.205, it should not be part of the bond calculation because real property is not included unless the guardian has independent authority. Petitioner states she does not have independent authority to authorize or sell any investment properties without Court approval. The current bond costs the guardianship estate \$4,800 every three years. Without the general partnership, Petitioner calculates that bond should be \$311,000.00. See petition re calculation. <b><u>SEE ADDITIONAL PAGES</u></b>
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
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<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

**Reviewed by:** skc

**Reviewed on:** 2/2/16

**Updates:**

**Recommendation:**

**File 6-Maffeo**



**Page 2 – Petitioner prays for an order as follows:**

7. Approving, allowing and settling this account and report of the guardian as filed;
8. Authorizing Petitioner to pay herself from the guardianship estate the sum of \$1,282.36 for reimbursement of legal services rendered to the guardianship and costs paid during the accounting period;
9. Authorizing payment of \$4,200.00 to Walters & Moshrefi, Attorneys at Law for services rendered from 6/17/14 through 12/4/15;
10. Authorizing payment of \$435.00 to Walters & Moshrefi for costs advanced;
11. That the current bond of \$450,000.00 be decreased to \$310,000.00; and
12. For such other orders as the Court deems proper.

Petitioner/Guardian: Gina Vasquez (pro per)

## Petition for Termination of Guardianship

		<b>GINA VASQUEZ</b> , Guardian, is petitioner.  Please see petition for details.  Court Investigator Report filed on 11/19/15	<b>NEEDS/PROBLEMS/COMMENTS:</b>  Continued from 1/25/16. As of 2/1/16 the following issues remain:  1. Need proof of service of the Notice of Hearing on: a. John Duran (father) b. John Duran (paternal grandfather)  <b>Note:</b> a John Duran was served on 12/11/15, however, it is unclear if this is John Duran the father or John Duran the paternal grandfather.	
Cont. from 113015, 012516				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
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			Reviewed by: KT	
			Reviewed on: 2/1/16	
			Updates:	
			Recommendation:	
			File 7 – Duran	

Petitioner: Marlene Smith (Pro Per, Co-Guardian)

Petitioner: Rick Smith (Pro Per, Co-Guardian)

## Petition for Termination of Guardianship

		<b>RICK SMITH and MARLENE SMITH,</b> guardians, are petitioners.  Please see petition for details.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Notice of Hearing.  2. Need proof of service of the Notice of Hearing on: a. Rick Smith III (minor age 12)	
<b>Cont. from 011116</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input type="checkbox"/>	<b>Notice of Hrg</b>			X
<input type="checkbox"/>	<b>Aff.Mail</b>			X
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<input type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
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<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
			<b>Reviewed by: KT</b>	
			<b>Reviewed on: 2/1/16</b>	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 8- Smith</b>	

**First and Final Account Report of Administrators Regarding Estate and Petition for Settlement, Distribution, and Approval**

<b>DOD: 09/28/11</b>		<b>ESTELLA GARZA and RAQUEL NANEZ</b> , Administrators, are Petitioners.  Account period: 09/28/11 – 10/30/15  Accounting: Does not balance Beginning POH: \$310,000.00 Ending POH: \$305,029.13  Administrator: waived  Attorney: waived	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>CONTINUED FROM 01/11/16</b></u> <b>Minute Order from 01/11/16 states: Counsel will be filing an amended account.</b>  <b>As of 02/02/16, nothing further has been filed and the following notes remain:</b>  1. The accounting does not balance. The Total charges and total credits should match. Need amended Petition. 2. The property on hand for distribution includes two parcels of real property. The Petition states that each beneficiary is to receive 1/10 <sup>th</sup> of the estate. If real property is to be distributed in undivided interests, need written consent of all distributees pursuant to Local Rule 7.12.4. 3. Need Order. <b>Note:</b> All orders or decrees in probate matters must be complete in themselves. Orders shall set forth all matters ruled on by the court, the relief granted, and the names of persons, descriptions of property and/or amounts of money affected with the same particularity required of judgments in general civil matters. Monetary distributions must be stated in dollars, and not as a percentage of the estate.
<b>Cont. from 011116</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input checked="" type="checkbox"/>	<b>PTC</b>		
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		<b>Distribution, pursuant to intestate succession, is to:</b>  Nicolas Garza Garza – 1/10 <sup>th</sup> Rojelia Garza Gonzalez – 1/10 <sup>th</sup> Estella Garza Garza – 1/10 <sup>th</sup> Anna Garza Lopez – 1/10 <sup>th</sup> Rachel Garza Nanez – 1/10 <sup>th</sup> Alicia Garza Azua – 1/10 <sup>th</sup> Delia Garza Gonzalez – 1/10 <sup>th</sup> Irasema Garza Gonzalez – 1/10 <sup>th</sup> David Garza Garza – 1/10 <sup>th</sup> Teodoro Garza Garza – 1/10 <sup>th</sup>	
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<input type="checkbox"/>	<b>Letters</b> 10/03/14		
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<input checked="" type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b> x		
<b>Aff. Posting</b>		<b>Reviewed by:</b> JF <b>Reviewed on:</b> 02/02/16 <b>Updates:</b> <b>Recommendation:</b> <b>File 9- Garza</b>	
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

Attorney J. Stanley Teixeira (for Conservator Tracy Cerda)

## Probate Status Hearing Re: Filing of the First Account

	<b>TRACY CERDA</b> , daughter, was appointed Conservator of the Person and Estate with medical consent and dementia powers on 8/4/2014.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>OFF CALENDAR</b>
<b>Cont. from 010416</b>	<b>Letters issued 1/23/2015</b> following filing of an Amended Order Appointing Probate Conservator filed 1/22/2015.	<b>First Account and Report of Conservator filed 2/2/2016 is set for hearing on 3/15/2016.</b>
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>	<b>Final Inventory and Appraisal filed 3/17/2015</b> shows an estate consisting of all cash in the sum of <b>\$138,878.00</b> .	
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	<b>Pursuant to Probate Code § 2620(a), first account is due 1/23/2016.</b>	
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>	<b>Minute Order dated 8/2/2014</b> from the hearing on the petition for appointment set this status hearing on 1/4/2016 for the filing of the first account of the conservatorship.	
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>	<b>Status Report filed by J. Stanley Teixeira 12/23/2015 states:</b>	
<b>Conf. Screen</b>	<ul style="list-style-type: none"> <li>Tracy Cerda, who was appointed conservator of the person and estate on 8/4/2014, has reported to him that she has been ill and unable to provide and deliver documents to his office needed for the accounting;</li> <li>It is his hope to have all documents and the accounting filing within 30 days from the date of the originally scheduled accounting.</li> </ul>	
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		<b>Reviewed by: LEG</b>
<b>CI Report</b>		<b>Reviewed on: 2/3/16</b>
<b>9202</b>		<b>Updates:</b>
<b>Order</b>		<b>Recommendation:</b>
<b>Aff. Posting</b>		<b>File 10 – Andrade</b>
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

**Petition for Visitation**

		<b>MCKENNA FRASCH</b> , mother, is petitioner.  Please see petition for details.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Notice of Hearing.  2. Need proof of service of the Notice of Hearing on guardian, Laurie Fries.	
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input type="checkbox"/>	<b>Notice of Hrg</b>			X
<input type="checkbox"/>	<b>Aff.Mail</b>			X
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input type="checkbox"/>	<b>Order</b>			X
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
			<b>Reviewed by:</b> KT	
			<b>Reviewed on:</b> 2/1/16	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 11- Fries</b>	

**12 Marcus Thomas Areyano (Estate)****Case No. 14CEPR00811****Attorney: Gary G. Bagdasarian (for Petitioner/Administrator Lanae Areyano)****Waiver of Accounting and Report of Administrator and Petition for its Settlement; Waiver of Administrator's Commissions; for Allowance of Statutory Attorney's Fees, and Costs Reimbursement, and for Final Distribution**

<b>DOD: 3/25/14</b>		<b>LANAE AREYANO</b> , Administrator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b> 1. Need property on hand schedule. California Rules of Court, Rule 7.550(b)(4). 2. Need Allowance or Rejection for the following creditor's claims: a. PG & E in the amount of \$868.21 filed on 10/23/14. b. Fresno County Tax Collector in the amount of \$910.29 filed on 4/6/15. (Note: Notice to Creditors was mailed to the Fresno County Tax Collector on 3/13/15.) 3. Petition states all real estate taxes have been paid. Creditors Claim filed by the Fresno County Tax Collector is for real estate taxes. Need clarification. 4. Petition does not list the creditor's claim of the Fresno County Tax Collector. 5. Need status of Creditor's Claim of Fresno County Tax Collector. 6. Need proof of service of the Notice of Hearing on Joshua Areyano, age 17, minor beneficiary. Notice was mailed to his guardian however, California Rules of Court, Rule 7.51(d) requires notice to be mail directly to the minor, in addition to his guardian. 7. Need Letters of Guardianship showing Laura Castillo as the duly appointed guardian for Joshua Arelyano.
		Accounting is waived.	
<b>Cont. from</b>		I & A - <b>\$162,275.45</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	POH - <b>???</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Administrator - <b>Waives</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Attorney (statutory) - <b>\$5,868.00</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	Costs - <b>\$1,752.00</b> (filing fees, probate referee, publication, certified copies and bond)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Closing - <b>\$639.15</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<b>Distribution, pursuant to intestate succession, is to:</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	<b>Lanae Areyano</b> – 1/3 interest in real property located in Fresno, 1/3 interest in 2010 Honda Civic and 1/3 interest in personal property and effects.	
	W/	<b>Emily Areyano</b> – 1/3 interest in real property located in Fresno, 1/3 interest in 2010 Honda Civic and 1/3 interest in personal property and effects.	
	<b>Aff.Pub.</b>	<b>Laura Castillo, as guardian of the Estate of Joshua Areyano</b> – 1/3 interest in real property located in Fresno, 1/3 interest in 2010 Honda Civic and 1/3 interest in personal property and effects.	
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>	11/4/14	
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> KT
			<b>Reviewed on:</b> 2/2/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 12- Areyano</b>

Attorney Marcus Magness; Ryan Janisse (for Petitioners Tim Quirk and Laurel Scholar, Successor Co-Trustees)

Attorney Susan L. Pascuzzi (for Respondent Lee Kleim)

Attorney Roger S. Bonakdar (for Respondent La Jolla Group II Management, Inc.)

**First Amended Petition for Order: Determining Interest in Trust Property;  
Compelling Former Trustee to Deliver Property to Trustees; Requiring Former  
Trustee to Account; Compelling Redress for Breach of Book Account; Compelling  
Redress for Breach of Certain Written Agreements**

<b>DOD: 6/16/2010</b>	<b>TIM QUIRK and LAUREL SCHOLAR</b> , accountants of the Decedent and Successor Co-Trustees, are Petitioners.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>Continued from 11/9/2015.</b></u> Minute Order states this petition is trailing the Court's ruling on the demurrer.
<b>Cont. from 082615, 093015, 110915</b>	<b>Petitioners state:</b>		
<input type="checkbox"/> Aff.Sub.Wit.	<ul style="list-style-type: none"> <li>On 7/13/2000, Alan Boyajian, as Trustor and Trustee, created the <b>ALAN BOYAJIAN LIVING TRUST OF 2000</b> (copy attached as Exhibit 1);</li> </ul>		
<input checked="" type="checkbox"/> Verified	<ul style="list-style-type: none"> <li>Alan Boyajian amended the Trust as follows: First Amendment on 7/1/2008 (copy attached as Exhibit 2); Second Amendment on 5/4/2010 (copy attached as Exhibit 3; and Third Amendment on 5/11/2010 (copy attached as Exhibit 4);</li> </ul>		
<input type="checkbox"/> Inventory	<ul style="list-style-type: none"> <li>The Trust terms provide that <b>LEE KLEIM</b>, Decedent's business partner, shall serve as the sole Successor Trustee, and in the event he is unable or unwilling to serve, then <b>SUSAN L. MOORE</b> and <b>LAUREL SCHOLAR</b> shall serve as successor co-trustees; in the event either of them is unable or unwilling to serve, then <b>TIM QUIRK</b> shall serve with the remaining individual;</li> </ul>		
<input type="checkbox"/> PTC	<ul style="list-style-type: none"> <li><b>LEE KLEIM</b> accepted the office of Trustee and served in such capacity from date of Decedent's death until his resignation on 2/13/2013 (copy of resignation attached as Exhibit 5);</li> </ul>		
<input type="checkbox"/> Not.Cred.	<ul style="list-style-type: none"> <li>Subsequently, <b>LEE KLEIM</b> denied signing the resignation;</li> </ul>		
<input checked="" type="checkbox"/> Notice of Hrg	<ul style="list-style-type: none"> <li><b>LEE KLEIM</b> later voluntarily signed a second resignation which was prepared and notarized by <b>SUSAN L. MOORE</b> (copy attached as Exhibit 6);</li> </ul>		
<input checked="" type="checkbox"/> Aff.Mail	W/		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

~Please see additional page~

<b>Reviewed by:</b> LEG
<b>Reviewed on:</b> 2/3/16
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 13 – Boyajian</b>



Petitioners state, continued:

- **SUSAN L. MOORE** declined to act as successor co-trustee (*copy attached as Exhibit 7*);
- **TIM QUIRK** and **LAUREL SCHOLAR** ("Co-Trustees") accepted the office of co-trustees on 2/26/2013 and have been acting as successor co-trustees since such time;
- Co-Trustees acted as the accountants for Decedent during his life and for the Trust after his death, and are aware of and have access to various issues with the Trust administration that would not readily be available without such familiarity;
- Decedent and **LEE KLEIM** were business partners, and they formed a number of entities as follows:
  - **LA JOLLA GROUP II GENERAL PARTNERSHIP** – Decedent and Kleim were general partners (the General Partnership);
  - **LA JOLLA GROUP II MANAGEMENT, INC.** – Decedent and Kleim formed this corporation (the Corporation);
  - **LA JOLLA GROUP II LIMITED PARTNERSHIP** – Decedent and Kleim formed this partnership with the La Jolla Group II Management Corporation as the general partner, and Decedent and Kleim as Limited Partners (the Limited Partnership); subsequent to its formation, the Limited Partnership was never capitalized and the initial and final tax return showing zero activity was filed in 2010; the Limited Partnership was then dissolved and the assets of the General Partnership were transferred to the Corporation of which Decedent and Kleim held equal shares;
  - **ASSIGNMENT OF BUSINESS INTERESTS TO TRUST** – Decedent assigned all of the above business interests to the Trust (*copy of assignment attached as Exhibit 8*).
- **Dual Role as Trustee and Corporate Owner:** Upon Decedent's death, **LEE KLEIM** became the sole officer/director of the Corporation; he also became the Trustee of the Trust; this arrangement created numerous conflicts of interest; Kleim treated the entity as his alter ego;
- Kleim was removed from involvement in the Corporation due to mental health issues and his family is now operating it on his behalf;
- **Purchase of Corporation and Limited Partnership:** Pursuant to a Buy Sell Agreement executed by Kleim and Decedent before Decedent's death, the Decedent's Limited Partnership interest was to be purchased for **\$375,000.00** at his death;
- Kleim in his individual capacity, as Trustee of the Trust, as President and Secretary of the Corporation and the Limited Partnership, entered into an agreement memorializing the fact that the Limited Partnership was never capitalized (*copy of unexecuted agreement attached as Exhibit 9*);
- The Trust's interest in the Corporation was purchased outright for **\$12,500.00** and the Trust's interest in the Limited Partnership (which had been transferred to the Corporation) was purchased by Kleim for **\$375,000.00** from the Trust (*copy of the Promissory Note evidencing the sale of the Limited Partnership attached as Exhibit 10*);
- While the Trust's interest in the Corporation was purchased outright for **\$12,500.00**, Kleim has been making interest-only payments at **4.5%** on the purchase of the Trust's interest in the Limited Partnership (which had been assigned to the Corporation);
- The principal balance of **\$375,000.00** remains a personal obligation Kleim owes the Trust;

~Please see additional page~

Petitioners state, continued:

- **Debts Owed by Corporation to Trust:** The Co-Trustees are aware of at least four (4) transactions under which the Trust lent its assets to the Corporation:
  - **Loan of \$263,388.39 in connection with real property on 1521 E. Fedora, Fresno** (*copy of unsigned promissory note attached as Exhibit 11*); the Fedora loan is due 7/1/2015; interest payments were made on the Fedora loan from 8/1/2008 through 5/3/2010, but ceased at Decedent's death with no explanation provided; interest and principal have not been paid despite demand and the Corporation is now in default;
  - **Loan of \$100,000.00 in connection with real property on 3767 E. Huntington, Fresno** (*copy of unsigned promissory note attached as Exhibit 12*); the Huntington loan was due 3/2/2010; no payments were ever made on the Huntington loan and the property was sold in May 2009; this debt was entered in Corporation books as book account and was maintained in normal course of business; payment has not been made despite demand and the Corporation is now in default;
  - **Loan of \$50,000.00 in connection with real property on 437 Keats, Clovis**; the Corporation's employees indicate there was no written note for this transaction but it was carried on Corporation's books as a book account; no payments were ever made on the Keats loan; payment has not been made despite demand and the Corporation is now in default;
  - **Unsecured Loan of \$100,000.00 to Corporation** from Trust to Corporation in 2008, per decedent telling accountants (Co-Trustees) that he and Kleim each loaned **\$100,000.00** to the General Partnership; at the time of this explanation by Decedent, Kleim knew of and did not dispute the representation; Kleim has not provided anything in connection with this loan despite requests and now even disputes the loan ever existed;
- **Verification of debts:** Kleim asked Co-Trustees for information regarding money owed to Trust while he acted as Trustee, which was provided by Co-Trustees to Kleim; Co-Trustees were aware that the Corporation's books matched the Decedent's and Kleim's books; Kleim executed a verified under penalty of perjury IRS form 8939 verifying the existence of the above debts (*copy attached as Exhibit 13*); Kleim now disavows the validity of these debts; the Decedent and Kleim never disavowed any book account debt or promissory note during Decedent's life; Kleim never disavowed any book account debt or promissory note after Decedent's death while Kleim was acting as Trustee of the Trust; all debts on the books of the business were always paid to Kleim and Decedent; however, now that he is no longer Trustee, he now questions the debts even though he has access to all Corporations books and cannot point to evidence suggesting the debts were not valid; Kleim and Corporation are essentially saying they aren't paying these debts because Alan is no longer here to prove they are valid; this position is in bad faith and violates Kleim's fiduciary duties.
- **Violation of Buy-Sell Agreement:** Pursuant to the Buy-Sell agreement entered into by Kliem and the Trust, any distributions to Kleim or his family members in excess of **\$5,000.00** per month require a corresponding distribution to the Trust of an equivalent amount to be applied against the principal of the promissory note given on Kleim's purchase of the Trust's interest in the Corporation deriving from the Limited Partnership; Co-Trustees requested an accounting of all distributions and compensation to Kleim and his family members from the Corporation and from Kleim himself; Kliem and the Corporation refuse to provide any information regarding payments to Kleim's family; Co-Trustees significant distributions in excess of **\$5,000.00** per month have been made to Kleim's son and wife and other family members; refusing to provide any information is a breach of the fiduciary duties and Kleim's duty to pay distributions under the note;

~Please see additional page~

Petitioners state, continued:

- **Request for Information by Co-Trustees:** Through their attorney, Co-Trustees sent Kleim and the Corporation a formal request to provide information; the request was prompted by several holes in the information and documentation turned over to the Co-Trustees by Kleim, which has rendered it impossible to prepare a fiduciary accounting, as Co-Trustees do not know what assets were on hand when they accepted the office of Trustee; Co-Trustees assert there are valuable Trust assets which have not been delivered to them and suspect Kleim committed multiple breaches of trust; Kleim breached his fiduciary duties as Trustee and now intends to obfuscate these breaches by refusing to account and deliver the requisite documentation.
- The Trust is owed significant sums of money by Kleim and the Corporation; despite Kleim acknowledging the debts and failing to pay them while he was Trustee, he now questions whether they are even valid; neither he or the Corporation are willing to pay; the Corporation is in breach of several agreements; Kleim has never accounted;
- **Request for Relief** *[Citations to Probate Code and case authority omitted]*:  
**Co-Trustees' have Duty to Pursue Claims** against third parties to protect and enhance the Trust; Co-Trustees unable to perform this obligation because Kleim has refused to provide the information and documentation necessary to do so;  
**Kleim is Required to Account** upon his resignation, but such an accounting was never prepared or provided; Kleim should be compelled to account for his actions as trustee, which is necessary to provide the starting point from which Co-Trustees can prepare the fiduciary accounting they are required to prepare by law;
- *[The following Causes of Action, as numbered in Petition, are asserted:]*
  1. Kleim has a duty to provide and Accounting upon his resignation;
  2. Liability for Fedora Loan – Open Book Account;
  3. Liability for Huntington Loan – Open Book Account;
  4. Liability for Keats Loan – Open Book Account;
  5. Liability for **\$100,000.00** Loan – Open Book Account;
  6. Breach of Fiduciary Duty;
  7. Breach of Contract –Buy Sell Agreement.

**Petitioners pray for an Order that:**

1. **LEE KLEIM** be ordered to file an accounting with the Court within 60 days of hearing on this *Petition*;
2. **The Corporation** is liable for the payment of the principal and interest of the Fedora Loan, the Huntington Loan, the Keats Loan, in amounts to be proven and trial, and the **\$100,000.00** book account;
3. **LEE KLEIM** be held liable for his breaches of fiduciary duty while acting as trustee and a judgment be entered for all of the damages according to proof;
4. **LEE KLEIM** be held liable to double damages;
5. **LEE KLEIM** be held liable for the Trust's costs and expenses, including attorney fees for bringing this action;
6. **The Corporation** be ordered to provide and an accounting showing payment to Kleim and his family;
7. **The Corporation** be found liable for breaching the Buy-Sell agreement and the Trust awarded damages in the amount to be proven at trial, for failing to make distributions to the Trust;
8. **The Corporation** be required to deliver all information, documentation, and records for the Trust it has in possession within 15 days of hearing on this *Petition*; and
9. **LEE KLEIM** be required to pay Petitioners reasonable attorney fees and costs associated with bringing this *Petition*.

~Please see additional page~

Dept. 303, 9:00 a.m. Monday, February 8, 2016

**Response to First Amended Petition for Order: Determining Interest in Trust Property; Compelling Former Trustee to Deliver Property to Trustees; Requiring Former Trustee to Account** filed by **LEE KLEIM** on 9/15/2015 states denials and admissions to specified Paragraphs of the *Petition*.

**Proof of Service shows Response was served by mail to Petitioners' attorneys on 9/14/2015.**

**Response includes reply statements, in brief sum, as follows:**

- During Respondent's tenure as Successor Trustee, Respondent provided Tim Quirk and Laurel Scholar with all of the financial information available to him pertaining to the Trust and to the various Notes between La Jolla and the Trust; Successor Trustees have all of the books and records pertaining to the Trust through the date of Respondent Lee Kleim's resignation as Successor Trustee;
- Upon the death of Alan Boyajian, Respondent became the sole shareholder of La Jolla by reason of a Buy-Sell agreement between the partners; by reason of potential conflict of interest in acting as Successor Trustee and the sole shareholder of La Jolla, Respondent had numerous conversations with **CATHY SCHWABENLAND** and **CINDY BULLARD, CPA**, on behalf of **SCOTT BOYAJIAN**, the beneficiaries of the Trust regarding decisions related to trust activity and to obtain their consent regarding actions taken by Lee Kleim as Successor Trustee; numerous conferences were held to include Tim Quirk, the accountant for the Trust and legal counsel to ensure the issues and actions involved the Trust and La Jolla were fully disclosed and agreed upon;
- Respondent admits principal payments are due pursuant to terms of the Buy-Sell agreement and that during his tenure as Successor Trustee, there were no principal payments due and owing on the Note; Tim Quirk was provided a copy of the Buy-Sell agreement either at the time of execution or shortly after Alan Boyajian's death;
- Respondent has never refused to provide a copy of the Buy-Sell agreement to the current Co-Trustees, who were provided with all documentation regarding the interest-only payments on the Note and were in possession of the books and records of La Jolla during Respondent's tenure as Successor Trustee;
- *[Refer to Paragraph 13, pages 3 to 5 for responses related to the debts alleged in the Petition];*
- Respondent denies that he disavows the validity of all debts referenced herein, only that he does not have sufficient information or belief to confirm amounts remaining to be paid; Respondent denies he has access to the Corporation's books and records, and he does not have sufficient information or belief to admit or deny the Corporation's position on repayment of alleged debts;
- Respondent admits principal payments on the Note in connection with the Buy-Sell agreement are predicated on distributions from La Jolla to Lee Kleim in excess of **\$5,000.00** per month; Respondent denies he has received distributions in excess of **\$5,000.00** per month;
- Respondent alleges that since 2/13/2013, he has not had access to the books and records of La Jolla or the Trust; on 2/26/2013, the Co-Successor Trustees resigned as accountants for La Jolla, but up until that date had been provided with all the general ledgers of the company and the administration of the Trust; Respondent has no Trust assets in his possession and no documents pertaining to the administration of the Trust;
- *[Refer to pages 6 to 7 for further admissions and denials];*

**Respondent Lee Kleim requests the Court find** *[in brief sum]*: Respondent provided all information within his control to Co-Successor Trustees; he relied on Petitioners as his accountants to prepare all accountings; there are no trust assets in possession of Respondent to be turned over to Co-Successor Trustees; all alleged obligations which may be Trust assets are alleged claims for breach of contract against La Jolla; Respondent acted in good faith and is not liable for any damages; and Respondent be dismissed from this action.

**First and Final Account and Report of Executors and Petition for Its  
Settlement, for Allowance of Statutory Commissions and for Final  
Distribution**

<b>DOD: 1/3/15</b>		<b>THOMAS DAVLIA and MARY CARMONA,</b> Co-Executors, are petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Department of Health Care Services filed a Request for Special Notice. Proof of service indicates they were served without a copy of the petition. Probate Code § 1252 (a) requires the Notice of Hearing to be served with a copy of the petition.
		Account period: 1/3/15 – 12/15/15	
<b>Cont. from</b>		Accounting - <b>\$243,289.45</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$184,207.01</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$214,126.44</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Executors (statutory) - <b>\$7,861.63</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	Attorney (statutory) - <b>\$7,861.63</b>	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Closing reserve - <b>\$1,000.00</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<b>Distribution, pursuant to Decedent's Will, is to:</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/O	Mary D. Carmona - \$39,480.68	
<input type="checkbox"/>	<b>Aff.Pub.</b>	Thomas Davila - \$39,408.68	
<input checked="" type="checkbox"/>	<b>Sp.Ntc.</b> W/O	Angelita Valdez - \$39,408.68	
<input type="checkbox"/>	<b>Pers.Serv.</b>	Lorain Sanchez - \$39,408.68	
<input type="checkbox"/>	<b>Conf. Screen</b>	Jesse Davila - \$39,408.68	
<input checked="" type="checkbox"/>	<b>Letters</b> 4/3/15		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> KT
			<b>Reviewed on:</b> 2/2/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 14- Davila</b>

## Petition for Appointment of Guardian of the Person

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
		<b>JOSE CEJA and ARACELI CASTRO</b> , maternal grandparents, are Petitioners.	1. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Vanessa Ceja (mother) b. Rene Rodas (father) – personal service required; proof of service by mail is insufficient
Cont. from		Father: <b>RENE RODAS</b> – served by mail on 12/08/15	
<input type="checkbox"/>	Aff.Sub.Wit.	Mother: <b>VANESSA CEJA</b>	
<input checked="" type="checkbox"/>	Verified	Paternal grandfather: DECEASED	
<input type="checkbox"/>	Inventory	Paternal grandmother: SANTOS IRENE TORRES – served by mail on 12/08/15	
<input type="checkbox"/>	PTC	Sibling: STEPHANIE CASTRO – served by mail on 12/08/15	
<input type="checkbox"/>	Not.Cred.	<b>Petitioners state</b> [see file].	
<input checked="" type="checkbox"/>	Notice of Hrg	<b>Court Investigator Julie Negrete filed a report on 02/02/16.</b>	
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 02/02/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 15- Rodas</b>

Petitioner Askew, James Kenneth (pro per – maternal grandfather)  
 Petitioner Lopez-Askew, Chimene (pro per – maternal step-grandmother)

## Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 02/08/16</u>	NEEDS/PROBLEMS/COMMENTS:
		<b>JAMES ASKEW</b> and <b>CHIMENE LOPEZ-ASKEW</b> , maternal grandfather and step-grandmother, are Petitioners.	1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Paternal grandfather b. Martell Lambert (paternal grandmother)
Cont. from		Father: <b>DON LAMBERT</b> – personally served on 12/14/15	
<input type="checkbox"/>	Aff.Sub.Wit.	Mother: <b>JACIE KIM ASKEW</b> – personally served on 12/14/15	
<input checked="" type="checkbox"/>	Verified	Paternal grandfather: UNKNOWN	
<input type="checkbox"/>	Inventory	Paternal grandmother: MARTELL LAMBERT	
<input type="checkbox"/>	PTC	Maternal grandmother: NINA JO ASKEW – deceased	
<input type="checkbox"/>	Not.Cred.	<b>Petitioners state</b> [see file for details].	
<input checked="" type="checkbox"/>	Notice of Hrg	<b>Objection to Guardianship</b> filed 01/26/16 by Jacie Askew (mother).	
<input type="checkbox"/>	Aff.Mail	<b>Court Investigator Jennifer Daniel</b> filed a report on 01/29/16.	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 02/03/16
			Updates:
			Recommendation:
			File 16- Lambert/Askew

Petitioner  
Petitioner

Thompson, Richard (pro per – maternal great uncle)  
Thompson, Heather (pro per – maternal great aunt)

## Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 02/08/16</u>	NEEDS/PROBLEMS/COMMENTS:
		<b>RICHARD THOMPSON and HEATHER THOMPSON</b> , maternal great uncle and aunt, are Petitioners.	1. Need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for Mark Petrochilos (father).
Cont. from		Father: <b>MARK PETROCHILLOS</b>	
	Aff.Sub.Wit.	Mother: <b>KAREN SUMMERS</b> – Consent & Waiver of Notice filed 12/08/15	
✓	Verified	Paternal grandfather: C.M. PETROCHILLOS – Personally served on 12/28/15	
	Inventory	Paternal grandmother: DEBORAH PETROCHILLOS – Personally served on 12/28/15	
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.	Maternal grandfather: FRANK BISHOP – Personally served on 12/28/15	
	Sp.Ntc.	Maternal grandmother: KAREN BISHOP – Personally served on 12/28/15	
✓	Pers.Serv.	w/	
✓	Conf. Screen	<b>Petitioners state:</b> [see file].	
✓	Letters	<b>Declaration filed 01/04/16 by Heather Thompson.</b>	
✓	Duties/Supp	<b>Court Investigator Jennifer Young filed a report on 02/01/16.</b>	
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 02/03/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 17- Petrochilos</b>



# 18 The Bypass Trust & the Survivor's Trust established under the Glenn A Gramps & Alice L Gramps Living Trust 12/10/2011

Case No. 15CEPR01197

Attorney: John J. McGregor (for Petitioner Valarie Feaster)

## Petition to Determine Trust Interest Over Real Property

		<b>VALARIE FEASTER</b> , Trustee, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Petitioner alleges:</b>	
		<b>GLENN A. GRAMPS</b> ("GLENN") and <b>ALICE L. GRAMPS</b> ("ALICE"), executed the <b>GLENN A. GRAMPS AND ALICE L. GRAMPS LIVING TRUST</b> ("Trust") on 12/10/01. The Settlor amended the Trust by First Amendment to Trust Agreement dated 5/4/11.	
<b>Cont. from</b>		Settlor referred in the Trust document to a Schedule of Trust Property describing interests in numerous parcels of real estate in County of Kings. Settlor conveyed these interests to the Trust by recorded Deeds ("Trust Transfer Deeds").	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W/	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		At the time Settlor executed the Trust Transfer Deeds, <b>ALICE</b> stood to inherit additional real property interests from the estate of her deceased mother, <b>THELMA JONES VIERHUS</b> ("THELMA") [completely identified in the petition, described here as APN 5 and APN 10]. As relevant to this petition, Settlor, as Co-Trustees of the Trust, took title to real property interests directly from <b>THELMA's</b> estate, pursuant to the 2002 Order for Final Distribution entered in Kings County Superior Court ("2002 Order").	
		Petitioner alleges that by virtue of the recording of the Trust Transfer Deeds and the entry of the 2002 order, Trustors believed that all of their real property interests had been transferred to their living trust, including (by virtue of the 2002 order) an undivided 1/3 interest in APN 5 and the entire interest in APN 10.	
		<b>Please see additional page.</b>	
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 2/2/16</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 18- Gramps</b>

## 18 The Bypass Trust & the Survivor's Trust established under the Glenn A Gramps & Alice L Gramps Living Trust 12/10/2011

Case No. 15CEPR01197

**GLENN** died on 11/23/13. At the time of his death, the Trust was to be divided into two sub-trusts, one (the **BYPASS TRUST**) to be funded with the assets representative of the community property ½ interest of **GLENN** and the other (the **SURVIVOR'S TRUST**) to be funded with the assets representative of the community property ½ interest of **ALICE**.

On July 10, 2014, **ALICE** executed an Appointment of Co-Trustee, putting herself and Petitioner in the office of Co-Trustees of the Trust.

**ALICE** died on 8/7/14. At the time of her death, the **BYPASS TRUST** and the **SURVIVOR'S TRUST** became terminable and distributable to the four beneficiaries, Petitioner, **STEPHEN A. GRAMPS, CLAUDIA GRAMPS LONGSTAFF**, and **CYNTHIA GRAMPS QUINTERO**. The **BYPASS TRUST** and the **SURVIVOR'S TRUST** each holds an undivided ½ interest in each and every asset of the original Trust.

The four beneficiaries did not want to retain any of the real property held in the **BYPASS TRUST** or the **SURVIVOR'S TRUST**. Petitioner recently entered into an agreement to sell it. Subsequently, a Preliminary Title Report revealed an unexpected title defect having to do with APN 5 and APN 10: the undivided interests in APN 5 and APN 10 passing to **ALICE** under the 1955 Decree were still of record in **ALICE's** individual name.

Petitioner alleges that **ALICE's** father, **ROBERT ARNOT JONES** ("Robert") died on April 6, 1954. **ROBERT** was survived by his spouse, **THELMA**, and by **ALICE** and her siblings, **MARGARET ELINOR NEWTON** ("**MARGARET**") and **CAROLYN IRIGARAY** ("**CAROLYN**"). **ROBERT's** estate was probated in Kings County. Under the 1955 Decree of Distribution in **ROBERT's** estate, an undivided ½ interest in APN 10 and a 1/6<sup>th</sup> interest in APN 5 was distributed outright to **ALICE**. The other 2/3<sup>rd</sup> interest in and undivided ½ interest in APN 5 passed to **MARGARET** and **CAROLYN**. The remaining undivided interest in APN 5 and APN 10, along with the full interest in APN 4 passed to **THELMA**.

**THELMA** survived **ROBERT** for approximately 46 years. APN 4, APN 5 and APN 10 are contiguous parcels. They constitute the homeplace and headquarters of an ongoing family farming business. It is Petitioner's belief that **ALICE** understood that her entitlement, if any, to these properties would not be perfected or fully realized until **THELMA's** death. In other words, **ALICE** did not realize she had a present existing interest in APN 5 or APN 10 by bequest from **ROBERT** but thought she had an expectancy only.

Pursuant to the 2002 Order, the property to which **ALICE** was entitled from **THELMA's** estate, APN 4, APN 5 and APN 10 were distributed. Petitioner believes that by virtue of the 2002 Order, **GLENN** and **ALICE** believed that they had completed the transfer of all real property interest acquired by **ALICE** from her father and mother into the Trust, and they continued to be unaware that **ALICE** had acquired undivided interests in APN 5 and APN 10 under the 1955 Decree.

**GLENN** and **ALICE** instructed a direct transfer of real property from **THELMA's** estate into the Trust and believed it included all interest in APN 5 and APN 10 to which **ALICE** was entitled.

Please see additional page

Dept. 303, 9:00 a.m. Monday, February 8, 2016

**18 The Bypass Trust & the Survivor's Trust established under the Glenn A Gramps & Alice L Gramps Living Trust 12/10/2011**

**Case No. 15CEPR01197**

The pour over Will of **ALICE** dated 12/10/01 leaves all her property to the trustee of the TRUST, which is the very result the Petitioner wishes to receive through this Petition.

**Petitioner prays for an Order of this Court determining that:**

1. The **GLENN A. GRAMPS AND ALICE L. GRAMPS LIVING TRUST, dated December 10, 2001** is a valid and existing Trust, now consisting of the **BYPASS TRUST** and the **SURVIVOR'S TRUST** thereunder;
2. An undivided 1/6<sup>th</sup> interest in APN 5 [fully described in the petition and order] recorded title which presently stands in the name of **ALICE LORRAINE GRAMPS**, by Decree of Distribution dated June 20, 1955, was and is an asset of the said Trust from and after the time that the Trust was created by virtue of the intent of the Settlers, and that such interest is now held by VALARIE G. FEASTER as Trustee, and is equally held by the **BYPASS TRUST** and the **SURVIVOR'S TRUST** established under the said Trust, to be administered and distributed thereunder, without probate or further Order of this Court;
3. An undivided 1/2 interest in APN 10 [fully described in the petition and order] recorded title which presently stands in the name of **ALICE LORRAINE GRAMPS**, by Decree of Distribution dated June 20, 1955, was and is an asset of the said Trust from and after the time that the Trust was created by virtue of the intent of the Settlers, and that such interest is now held by **VALARIE G. FEASTER** as Trustee, and is equally held by the **BYPASS TRUST** and the **SURVIVOR'S TRUST** established under the said Trust, to be administered and distributed thereunder, without probate or further Order of this Court.

# 19 Paige Jean Gross (Estate) Case No. 15CEPR01198

Petitioner Garcia, Kevin Michael (Pro Per – Petitioner)

Attorney Sullivan, Ryan P. (for Seth Wooden, Tyler Rinker, Kylie Rinker – Competing Petitioners)

Petition for Letters of Administration: Authorization to Administer under IAEA

<b>DOD: 07/04/2015</b>		<p><b>KEVIN MICHAEL GARCIA</b>, is petitioner and requests appointment as Administrator with bond set at \$5,000.00.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Fresno Publication: The Business Journal</p> <p><b>Estimated value of the Estate:</b></p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$25,000.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$160,000.00</td> </tr> <tr> <td>(Less encumbrances)</td> <td>-</td> <td>\$32,500.00</td> </tr> <tr> <td><b>Total</b></td> <td>-</td> <td><b>\$152,500.00</b></td> </tr> </table> <p>Probate Referee: Steven Diebert</p> <p><b>Petitioner states:</b> he filed for Probate on 08/06/2015 after discovering that no other petition on behalf of the decedent had been filed. During the 09/08/2015 hearing the County of Fresno Public Administrator's Office declined appointment as Special Administrator. Issues of the decedent, who were present for the hearing stated on the record that they would file a new or amend the existing petition for Probate and that a Will exists, yet they have failed to do so. If a Will does exist, any executor in such alleged will has failed to petition the Court for administration of the Estate within 30 days of the death of the decedent and therefore has waived the right to appointment as personal representative pursuant to Probate Code §8001.</p>	Personal property	-	\$25,000.00	Real property	-	\$160,000.00	(Less encumbrances)	-	\$32,500.00	<b>Total</b>	-	<b>\$152,500.00</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: A competing petition was filed 02/01/2016 by Seth Wooden, Tyler Rinker, and Kylie Rinker, decedent's children. Hearing is set for 03/14/2016.</b></p> <ol style="list-style-type: none"> <li>Petitioner requests bond in the amount of \$5,000.00 however the estimated value of the estate is \$152,500.00. Need bond in the amount of \$152,500.00.</li> <li>Petitioner is not listed on #8 of the petition as required and it is unclear what the relationship is to the decedent.</li> <li>#5a(3) or #5a(4) was not answered regarding a registered domestic partner.</li> <li>#5a(7) or #5a(8) was not answered regarding issue of predeceased child.</li> <li>Need Confidential Supplement to Duties &amp; Liabilities of Personal Representative, Mandatory Judicial Council Form DE-147S.</li> <li>Need Order.</li> </ol> <p><b><u>Please see additional page for Status Hearings</u></b></p>
Personal property	-		\$25,000.00												
Real property	-		\$160,000.00												
(Less encumbrances)	-		\$32,500.00												
<b>Total</b>	-		<b>\$152,500.00</b>												
<b>Cont. from</b>															
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>															
<input checked="" type="checkbox"/> <b>Verified</b>															
<input type="checkbox"/> <b>Inventory</b>															
<input type="checkbox"/> <b>PTC</b>															
<input type="checkbox"/> <b>Not.Cred.</b>															
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>															
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w/														
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>															
<input type="checkbox"/> <b>Sp.Ntc.</b>															
<input type="checkbox"/> <b>Pers.Serv.</b>															
<input type="checkbox"/> <b>Conf. Screen</b>															
<input checked="" type="checkbox"/> <b>Letters</b>															
<input checked="" type="checkbox"/> <b>Duties/Supp</b>															
<input type="checkbox"/> <b>Objections</b>															
<input type="checkbox"/> <b>Video Receipt</b>															
<input type="checkbox"/> <b>CI Report</b>															
<input type="checkbox"/> <b>9202</b>															
<input type="checkbox"/> <b>Order</b>	x														
<input type="checkbox"/> <b>Aff. Posting</b>															
<input type="checkbox"/> <b>Status Rpt</b>															
<input type="checkbox"/> <b>UCCJEA</b>															
<input type="checkbox"/> <b>Citation</b>															
<input type="checkbox"/> <b>FTB Notice</b>															
		<p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 02/03/2016</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 19-Gross</b></p>													

**Note:** If the petition is granted status hearings will be set as follows:

- **Monday, 03/07/2016 at 9:00a.m. in Dept. 303** for the filing of the bond **and**
- Monday, 07/11/2016 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Monday, 04/10/2017 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.

**Petition for Instruction and Order to Establish Ownership of Real Property;  
Points and Authorities in Support Thereof**

		<b>ROBERT H. ASTONE</b> is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Petitioner alleges:</b>	<p>1. Probate Code 17201 requires the petition to include the names and addresses of each person entitled to notice. The petition contains the names of persons entitled to notice but not their address.</p>
<b>Cont. from</b>		The Astone Living Trust dated 11/11/09 was established by a revocable and amendable Declaration of Trust executed 11/11/09. Patricia K. Astone died on 11/12/14. On the death of Patricia her portion of the trust became irrevocable and Robert H. Astone became the sole Trustee. Heidi B. Kinzel and Scott Brooks are the children of Patricia, and Deborah K. Condra, Mark R. Astone and Eric G. Astone are the children of Petitioner, all are equal remainder beneficiaries of the Trust.	
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>	N/A	
	<b>Aff.Mail</b>	N/A	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
		On 11/11/09 Patricia also executed a Will. The Will devises the residue of her estate to the Astone Living Trust.	
		The Trust includes a Schedule A signed by Petitioner and Patricia listing assets of the Trust [fully described in the petition and described herein as APN 43, APN 44 and APN 37].	
		Petitioner alleges the deeds were never executed and recorded conveying title to the Trustees of the Trust.	
		All those entitled to notice join in the petition and waive notice.	
		<b>Wherefore, Petitioner prays for an Order:</b>	
		That the real property [fully described in the petition and described herein as APN 43, APN 44 and APN 37] are assets of the Astone Living Trust dated 11/11/09 and recorded title is hereby transferred from Robert H. Astone and Patricia K. Astone, aka Patricia K. Brooks to Robert H. Astone, Trustee of the Astone Living Trust dated 11/11/09.	
			<b>Reviewed by:</b> KT
			<b>Reviewed on:</b> 2/3/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 20- Astone</b>

<b>FERRY PAUL</b> , surviving spouse, is	<b>NEEDS</b>
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<b>DOD: 4/16/15</b>		<b>TERRY PAUL</b> , surviving spouse, is petitioner.  No other proceedings  Decedent died intestate.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	W/	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

DOD: 11/28/2015		JON M. GRAY, son, is petitioner and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS:
		All heirs waive bond	<p><b>Note:</b> If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li>• Monday, 07/11/2016 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u></li> <li>• Monday, 04/10/2017 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Cont. from		Full IAEA – o.k.	
<input type="checkbox"/>	Aff.Sub.Wit.	Decedent died intestate	
✓	Verified		
<input type="checkbox"/>	Inventory	Residence: Fresno Publication: The Fresno Bee	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	<u>Estimated value of the Estate:</u> Personal property - \$276,000.00	
✓	Notice of Hrg		
✓	Aff.Mail	w/	
✓	Aff.Pub.	Probate Referee: Steven Diebert	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
✓	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 02/03/2016
			Updates:
			Recommendation: Submitted
			File 22- Gray



Petitioner: Mary J. Castaneda (pro per)

Objector: Elizabeth Alcazar (pro per)

## Petition for Appointment of Probate Conservator of the Person

		<p><b>THERE IS NO TEMPORARY.</b> Temporary was denied.</p> <p><b>MARY J. CASTANEDA</b>, maternal aunt, is petitioner.</p> <p>Please see petition for details.</p> <p><b>Court Investigator Report filed on 1/28/16</b></p> <p><b>Objections of Elizabeth Alcazar filed on 2/3/16</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>A competing petition filed by Elizabeth Alcazar has been set for hearing on 3/9/16.</b></p> <p><b>Court Investigator Advised Rights on 1/26/16.</b></p> <p><b>Voting rights affected need minute order.</b></p> <ol style="list-style-type: none"> <li>1. Need proof of service of the Notice of Hearing along with a copy of the Petition on:             <ol style="list-style-type: none"> <li>a. Central Valley Regional Center (30 day notice is required).</li> </ol> </li> <li>2. Proof of service of the Notice of hearing was not served with a copy of the petition, as required, on the following persons:             <ol style="list-style-type: none"> <li>a. Tiburcio Alcazar (father)</li> <li>b. Elizabeth Alcazar (sister)</li> <li>c. Marcus Alcazar (brother)</li> </ol> </li> <li>3. Need Conservatorship Video viewing receipt.</li> </ol> <p><b>For Objector:</b></p> <ol style="list-style-type: none"> <li>1. Need proof of service of the Objections on Petitioner Mary Castaneda.</li> </ol>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			X
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			

<b>Reviewed by: KT</b>
<b>Reviewed on: 2/3/16</b>
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 23- Alcazar</b>

**24 Joshua S. Obak (Estate) Case No. 15CEPR01252****Attorney Tomassian, Gerald M (for Sanae N. Shmull – Petitioner – Sister)****Petition for Probate of Will and for Letters of Administration with Will Annexed with IAEA**

<b>DOD: 03/11/2015</b>	<b>SANAE N. SHMULL</b> , sister, is petitioner and requests appointment as Administrator with Will annexed with bond set at \$405,410.00.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Will is not self-proving. Need proof of subscribing witness.  <b>Note: If the petition is granted status hearings will be set as follows:</b>  • <b>Monday, 03/07/2016 at 9:00a.m. in Dept. 303</b> for the filing of the bond <b>and</b>  <b>Monday, 07/11/2016 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b>  • <b>Monday, 04/10/2017 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
	Full IAEA – o.k.	
	Will dated: 12/14/1977 Codicil: 12/23/1977	
	Residence: Fresno Publication: The Business Journal	
<b>Cont. from</b>	<b>Estimated value of the Estate:</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Personal property - \$127,410.00	
<input checked="" type="checkbox"/> <b>Verified</b>	Real property - \$278,800.00	
<input type="checkbox"/> <b>Inventory</b>	<b>Total - \$405,410.00</b>	
<input type="checkbox"/> <b>PTC</b>	Probate Referee: Steven Diebert	
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>		
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
<b>Reviewed by:</b> LV		
<b>Reviewed on:</b> 02/03/2016		
<b>Updates:</b>		
<b>Recommendation:</b>		
<b>File 24- Obak</b>		

**25 Aida Izquierdo (Estate) Case No. 16CEPR00015****Attorney Krause Cota, Stephanie J (for Minerva Escobedo – Petitioner – Sister)****Petition for Probate of Will and for Letters of Administration with Will Annexed:****Authorization to Administer Under the IAEA**

<b>DOD: 04/14/2015</b>	<b>MINERVA ESCOBEDO</b> , sister, is petitioner and requests appointment as Administrator with Will Annexed without bond.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. #5a(3) or #5a(4) was not answered regarding a registered domestic partner.  2. Need new Order as the order provided includes a copy of the will attached which is not required.  <b>Note: If the petition is granted status hearings will be set as follows:</b>  • <b>Monday, 03/07/2016 at 9:00a.m. in Dept. 303</b> for the filing of the bond <u>and</u>  <b>Monday, 07/11/2016 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u>  • <b>Monday, 04/10/2017 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<b>Cont. from</b>	Full IAEA – o.k.	
<input checked="" type="checkbox"/> <b>Aff.Sub.Wit.</b>	Will dated: 04/01/2013	
<input checked="" type="checkbox"/> <b>Verified</b>	Residence: Clovis	
<b>Inventory</b>	Publication: The Business Journal	
<b>PTC</b>		
<b>Not.Cred.</b>	<b>Estimated value of the Estate:</b>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Real property - \$200,000.00</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	Probate Referee: Rick Smith	
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: LV</b>
		<b>Reviewed on: 02/03/2016</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 25- Izquierdo</b>

**25****Dept. 303, 9:00 a.m. Monday, February 8, 2016**

Petitioner Michelle Bracknell (Pro Per)

## Petition for Appointment of Temporary Guardian of the Person

		<u>General Hearing set for 3/29/2016</u>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Notice of Hearing and proof of five (5) court days' notice by personal service of the Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence for: • Aaron Duran, father.
		<b>MICHELLE BRACKNELL</b> , maternal grandmother, is Petitioner.	
<b>Cont. from</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>	X	
	<b>Aff.Mail</b>		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>	X	
✓	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
✓	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by:</b> LEG
			<b>Reviewed on:</b> 2/3/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 26- Garcia</b>

See petition for details.			<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note:</u> This petition is for Audie only.  <u>Continued from 1/25/16, 2/1/16.</u> <u>See Minute Orders.</u>
Cont. from 012516, 020116			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
✓	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 2/3/16
			Updates:
			Recommendation:
			File 27- Astone & Wulf

1
Ace Benjamin Milam (GUARD/P)
Case No. 15CEPR00154

Attorney Margosian, Michael J. (for Petitioners Elizabeth and Keith Allen)
Father Milam, Jason David (Pro Per)
Mother Meeks, Lauren Ashley (Pro Per)

Petition for Appointment of Guardian of the Person (Prob. Code §1510)

		See petition for details.	NEEDS/PROBLEMS/ COMMENTS:  <u><b>NOTE: THIS MATTER WILL BE HEARD IN DEPT 54 AT 8:30 AM</b></u>  Note: On 1/22/16, the Court initially granted guardianship and made visitation orders for the parents, but noted that if the parents appeared, the orders were subject to being vacated.  A separate minute order dated 1/22/16 states the parents appeared and the Court vacated its order granting guardianship and continued the matter to 2/8/16.	
Cont. from 082115, 090415, 102315, 012216				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
✓	Objections			
	Video Receipt			
	CI Report			
	Clearances			
✓	Order			X
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 2/1/16	
			Updates:	
			Recommendation:	
			File 1 - Milam	